

Dear [Insert Name of Reviewers]:

Thank you for agreeing to serve as a peer reviewer of the *Draft Biological Report for Identifying Critical Habitat for the Western Distinct Population Segment of Steller Sea Lion* (Draft Biological Report). The enclosed document (Appendix 1) outlines the specific tasks that we request you undertake in this review, and below we describe the background, schedule, logistics, and requirements for the peer review.

Background on Draft Biological Report

The National Marine Fisheries Service (NMFS) is considering potential revision to, or replacement of, currently designated Steller sea lion (SSL) critical habitat (50 CFR 226.202; 58 FR 45269) to provide for the conservation of the endangered Western Distinct Population Segment (WDPS). While our review was prompted by the delisting of the eastern DPS of SSL (78 FR 66140), NMFS is also considering other new and relevant information that has become available since the existing critical habitat was designated in 1993.

The intent of the Draft Biological Report is to provide information necessary for identifying those specific geographical areas that meet the definition of critical habitat for the western DPS Steller sea lion under the Endangered Species Act. Thus, the report aims to compile the best available scientific information about:

- the geographical range of the species at the time of listing;
- its current range;
- its biology, ecology, and status;
- the physical and biological features (PBF) of its habitat essential to its conservation, i.e., its recovery;
- whether those essential PBFs may require special management considerations or protection;
- specific geographical locations where one or more essential PBFs are located;
- whether there are unoccupied geographical areas that are essential to its conservation.

NMFS will consider the Draft Biological Report and other pertinent information as we contemplate revision or replacement of the current critical habitat designation.

Schedule and Logistics

- 1) We anticipate sending you an electronic copy of the Draft Biological Report between November 11-15, 2015.
- 2) We request that you send us your review no later than 30 days following your receipt of the draft document.
- 3) The body of the Draft Biological report will be approximately 175-225 pages in length with several appendices. If you do not have expertise regarding certain sections of the document, you may of course focus your review on those sections within your area of expertise.
- 4) We will hold an introductory telephone conversation with each reviewer to go over the peer review charge and provide an overview of the document. A staff person from NMFS will contact you soon to schedule this teleconference.
- 5) Please forward your review via email to Dr. Lisa M. Rotterman (Lisa.Rotterman@noaa.gov) no later than 30 days after receipt of the Draft Biological Report.
- 6) Unfortunately, we will not be able to compensate you for your time. Nevertheless, NMFS appreciates your time and effort in completing this review as it will greatly facilitate our production of a scientifically robust document, and thus, will improve the science upon which our decision about Steller sea lion critical habitat is based.

Format for the Peer Review Report

- 1) Please provide your comments in electronic form (e.g., a Word file).
- 2) Please provide a report, which can be supplemented at your discretion with electronic comments imbedded in the document and suggestions for modifications provided in “track changes.”

- 3) Please preface your report with a concise summary of your major findings and recommendations, and state whether NMFS has considered the best scientific information available in this report.

Requirements of the Peer Review

1. The President's Office of Management and Budget (OMB) published a Peer Review Bulletin (December 2004) that requires online posting of this peer review, because it is considered "influential scientific information."
2. The Peer Review Bulletin requires that non-Federal peer reviewers complete a "Confidential Conflict of Interest Disclosure" form. This form is attached, and we request that you complete it and provide your curriculum vitae for our files as soon as possible. These tasks must be completed before the review begins
3. To ensure that we have a transparent process for public disclosure, names and affiliations of each peer reviewer will be posted online. While we are required to identify peer reviewers by name and affiliation, NMFS will not associate individual comments with a reviewer's name; rather we will compile the comments and organize by a review number. Previously submitted Peer Reviews are available at:
<http://www.cio.noaa.gov/itmanagement/prplans/PRsummaries.html>
4. However, if NMFS receives a Freedom of Information Act request, anonymity of peer reviewers' comments cannot be guaranteed.
5. Finally, the information provided in this Draft Biological Report is distributed to you solely for the purpose of pre-dissemination peer review under applicable Information Quality Guidelines. It has not been formally disseminated by NOAA. It does not represent any agency determination, decision, or policy.
6. All information in the Draft Biological Report and in its appendices is to remain strictly confidential until made public by NMFS.

Contact Information

If you have questions about this peer review, please feel free to contact Dr. Lisa Rotterman at (907) 271-1692 (Lisa.Rotterman@noaa.gov). We appreciate your time and effort spent on your review of the Draft Biological Report.

Sincerely,

James W. Balsiger, Ph.D.
Administrator, Alaska Region

Appendix 1 Specific Reviewer Tasks

1. Before you begin your review, please complete and sign the conflict of interest disclosure form (attached) and return the form and your curriculum vitae (CV) for our files before you start your review.
2. We ask that you read and assess the Draft Biological Report.
 - a. The focus of your peer review should be to evaluate if the Draft Biological Report demonstrates that NMFS considered and appropriately applied (from a scientific point of view) the best available scientific and technical information relevant to identifying critical habitat for the western DPS of Steller sea lion.
 - b. We ask that you avoid commenting on potential policy or legal implications of the biological report (e.g., how much uncertainty is acceptable or whether the appropriate amount of precaution has been embedded in the analysis).
3. Specifically, NMFS asks that reviewers:
 - a. Evaluate the completeness, adequacy, appropriateness, accuracy, and application of data and information used in the Draft Biological Report:
 - i. If the information and data are not complete, please identify additional pertinent information and data that was not considered;
 - ii. If information and data are not adequate, appropriate, accurate, or applied correctly, please explain why you conclude this, and identify what steps NMFS should take to remedy these problems.
 - b. Determine whether scientific uncertainties are clearly identified and characterized, and whether the implications of any such uncertainties to the conclusions of the document are clear.
 - i. If not, we request that you identify what scientific uncertainties are not clearly identified and/or what implications need to be clarified.
 - c. Determine whether scientific facts are clearly distinguished from expert opinion and/or professional judgments.
 - i. If not, we request that you identify what rationale appears to be based on professional judgement and/or expert opinion but is not identified as such.
 - d. Determine if the information in the document is presented clearly.
 - e. Determine if the judgments and inferences made from the scientific evidence are reasonable.
 - f. Determine if the scientific conclusions of the Biological Report are factually supported, sound, and logical.
 - g. Determine whether the document provides a logical rationale for the identification of areas that contain physical and biological features (PBFs) essential to the conservation (i.e., recovery) of the WDPS. Specifically:
 - i. Does the Biological Report follow the steps outlined in the introduction/background?
 - ii. Does the Biological Report thoroughly and appropriately include, cite, and consider the best available scientific and commercial information that is relevant to determining the geographical range of the WDPS at the time of listing?
 1. If not, what available information is not included?
 2. Specify if you are aware of information that indicates that the range of the WDPS at the time of listing was different than indicated in this Biological Report and, if so, identify this information.
 - iii. Does the Biological Report thoroughly and appropriately include, cite, and consider the best scientific and technical information relevant to determining PBFs?
 - iv. Does the Biological Report clearly describe the PBFs and support the conclusion that they are essential to the conservation of the western DPS?
 1. If not, please specify for which PBFs support is poorly explained and/or for which you conclude information does not support its inclusion as essential to the conservation of the WDPS.

2. Please specify whether you are aware of information that indicates that there are additional physical and biological features essential to the conservation of the WDPS. If so, please specify what you believe these additional features are and please identify the scientific information that you conclude supports this.
- v. Does the Biological Report provide the best available scientific and commercial information and a reasonable rationale to support the conclusion that the PBFs identified as essential to the conservation of the WDPS may require special management considerations or protection? If not, please specify for which PBFs the best information has not been applied and specify the information that is missing. If you conclude that the Biological Report has not provided reasonable rationale that a specific PBF may require special protection or management, please identify the PBFs for which you believe this is the case.
 - vi. Does the Biological Report appropriately support the conclusion that one or more of the identified PBFs that are identified as essential to the conservation of the western DPS, and that may require special management considerations or protection, exist(s) in the specific geographical areas identified in the Biological Report?
 1. If you conclude that the Biological Report does not support the conclusion that a specific geographic area contains one or more PBFs, please identify the specific geographic area.
 - vii. Does the Draft Biological Report thoroughly and appropriately include, cite, and consider the best scientific and commercial information relevant to determining whether there are any geographical areas outside of the range occupied at the time of listing that are essential to the conservation of the WDPS? If not, what is the relevant information that is not included or considered?
 - h. Determine if there is key information that was not considered and, if there is, identify this information.
 - i. Determine if there are inconsistencies in the underlying rationale or in the application of that rationale. If so, please identify these inconsistencies and where they occur.
 - j. Determine if the Biological Report has acknowledged and discussed scientific studies or theories that support conclusions about WDPS critical habitat that are different from those reached by the CHRT.
 - k. Determine if the Executive Summary effectively, concisely and accurately describes the key findings and recommendations. Determine if it is consistent with other sections of the document.
 - l. Describe what other significant changes, if any, might be made to improve the document.